



FS Check In comments

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06/29/2011 03:20 PM

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Chip & Kristine,

During the 6/28 EPA FS Team mtg, we discussed several potential “fatal flaws” & a number of expectations for the draft FS we wanted to send to the LWG. We understand you’ll put a communication together with the flaws & expectations..., & send it to the LWG by 7/15. We think you both walked away from the 6/28 mtg with a rather complete list & a good understanding of the “flaws” & expectations we discussed as a group. We’re not going to repeat all those “flaws” & expectations now, but rather will simply add to that list or provide DEQ’s perspective.

Possible “Fatal Flaws”- These should be resolved ASAP to allow the LWG to move forward preparing the draft FS.

1. **RALs for dioxin/furans**- The LWG concluded that..., besides PCBs..., dioxins/furans pose account for the most human health & eco risk at the site. The LWG should develop RALs for dioxin/furans.
2. **Buried sediment contamination**- The LWG based their SMAs on RAL exceedances in surface sediment concentrations. We understand the LWG is also using the hydro/sed model to predict areas of the river that could scour & expose buried sediment contamination that exceeds RALs. Our concern is how the LWG will address areas of the site that are not prone to significant scour & do not show surface-sediment RAL exceedances..., but contain elevated buried sediment contamination. Will these areas of buried sediment contamination be a significant source to surface sediment, TZW, surface water & biota? We understand that in the LWG’s FS proposal..., these areas (relatively clean surface sediment with buried elevated sediment contamination) will only be considered for MNR. DEQ isn’t suggesting these areas need to be designated SMAs, but the LWG needs to explain how these areas of buried sediment contamination will not pose an actionable threat to the river & aquatic receptors through erosion or subsurface contaminant transport mechanisms.

Expectations-

1. **Hot spots of contamination**- One of the 2 threshold criteria in the remedy selection is meeting or exceeding ARARs. DEQ’s Cleanup Rules have been at least preliminarily identified as ARARs, & specifically hot spot rules (ORS 465.200 et seq & specifically OAR 340-122-0090 (4) and -0085). EPA should advise the LWG that the draft FS needs address hot spots in context of state rules as ARARs. During the 6/21-22 FS Key Elements mtg, the LWG stated that DEQ/EPA & the LWG need to further discuss how state ARARs will be addressed in the FS. DEQ will be happy to meet with EPA & the LWG to discuss a practical way for the FS to address hot spots & other state ARARs.
2. **FS evaluation**- AN objective of the FS is to provide objective, transparent evaluation of remedies to support selection of protective and effective remedies. The 6/21-22/11 LWG FS presentation focused

on how areas requiring active remediation (i.e., SMAs) would be identified and evaluated with the notion that MNR would be applied outside SMAs by default. The protectiveness and effectiveness of MNR and enhanced MNR must be thoroughly evaluated on a location-specific basis such that its selection as an appropriate remedy is clearly demonstrated.

Thanks,

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